

COURT NO. 1
ARMED FORCES TRIBUNAL
PRINCIPAL BENCH, NEW DELHI

18.

MA 3086/2023 in OA 540/2023

WO Satish Chandra Srivastav (Retd) Applicant
Versus
Union of India & Ors. Respondents
For Applicant : Mr. Kritendra Tiwari, Advocate
For Respondents : Mr. Vijender Singh, Advocate

CORAM

HON'BLE MR. JUSTICE RAJENDRA MENON, CHAIRPERSON
HON'BLE MS. RASIKA CHAUBE, MEMBER (A)

ORDER
26.03.2025

MA 3086/2023

This application has been filed seeking execution of an order passed in OA No. 540/2023. The OA was disposed of without notice to the respondents based on the principles laid down by the Hon'ble Supreme Court in the case of The Director (Admn and HR) KPTCL and Ors. Vs. C.P. Mundinamani and Ors. (Civil Appeal No. 2471/ 2023) decided on 11.04.2023. The respondents have now produced before us a PPO bearing number 601202003626 indicating the grant of benefits to the applicant. However, learned counsel for the applicant objects to the calculation of benefits and also raises objections regarding the manner in which the commutation of pension has been undertaken in the PPO.

2. Be that as it may since the respondents have filed a PPO in compliance with the directions issued and considering that the original application was disposed of on the very first date without notice to the respondents and without granting them an opportunity to file a counter affidavit, once the PPO has been issued in compliance with the order any further grievance of the applicant regarding the calculation of benefits or the manner of pension commutation gives rise to a separate cause of action. Such grievances should be addressed by the applicant through a representation or by filing a separate OA in the matter.

3. For the present in view of the compliance reported by the respondents we dispose of the matter with the aforesaid liberty to the applicant.

[JUSTICE RAJENDRA MENON]
CHAIRPERSON

[MS. RASIKA CHAUBE]
MEMBER (A)

/Jyoti/